B1 (Official Form 1) (確治 10-40230 Doc 1 Filed 08/31/09 Entered 01/26/10 15:09:58 Desc Main Document Page 1 of 1

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	TED STATES BANKRUPTO NORTHERN DISTRICT OF DALLAS DIVISION		Voluntary Petition		
Name of Debtor (if individual, enter Last, First, Howard, Amy Goldblatt	Middle):	Name of Joint Debtor (Spouse) (Last, First, M	liddle):		
All Other Names used by the Debtor in the last 8 years (include married, maiden, and trade names):		All Other Names used by the Joint Debtor in the (include married, maiden, and trade names):	All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names):		
Last four digits of Soc. Sec. or Individual-Taxp than one, state all): xxx-xx-8504	ayer I.D. (ITIN) No./Complete EIN (if r	than one, state all):			
Street Address of Debtor (No. and Street, City 5783 Versailles Avenue Frisco, TX	, and State):  [ZIP CODE	Street Address of Joint Debtor (No. and Stree	t, City, and State):    ZIP CODE		
	75034				
County of Residence or of the Principal Place <b>Collin</b>	of Business:	County of Residence or of the Principal Place	of Business:		
Mailing Address of Debtor (if different from stre	et address):	Mailing Address of Joint Debtor (if different fro	m street address):		
	ZIP CODE		ZIP CODE		
Location of Principal Assets of Business Debte	or (if different from street address about	ve):	ZID CODE		
			ZIP CODE		
Type of Debtor (Form of Organization) (Check one box.)  ✓ Individual (includes Joint Debtors) See Exhibit D on page 2 of this form.  ✓ Corporation (includes LLC and LLP)  ☐ Partnership  ✓ Other (If debtor is not one of the above entitles, check this box and state type of entity below.)	Nature of Business (Check one box.) Health Care Business Single Asset Real Estate as de in 11 U.S.C. § 101(51B) Railroad Stockbroker Commodity Broker Clearing Bank Other  Tax-Exempt Entity (Check box, if applicable.) Debtor is a tax-exempt organizunder Title 26 of the United St. Code (the Internal Revenue Co	Chapter 11 Chapter 12 Chapter 13  Nature of (Check on Debts are primarily consumer debts, defined in 11 U.S.C. \$ 101(8) as "incurred by an individual primarily for a personal, family, or house-	Check one box.)  Chapter 15 Petition for Recognition of a Foreign Main Proceeding  Chapter 15 Petition for Recognition of a Foreign Nonmain Proceeding		
Filing Fee (Check one box.)  Full Filing Fee attached.  Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form 3A.  Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.  Filing Fee waiver requested (applicable to chapter 7 individuals only). Must attach signed application for the court's consideration. See Official Form 3B.  Check one box:  Chapter 11 Debtors  Check one box:  Debtor is a small business debtor as defined by 11 U.S.C. § 101(51D).  Check if:  Debtor's aggregate noncontigent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,190,000.  Check all applicable boxes:  Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).			ined by 11 U.S.C. § 101(51D). defined in 11 U.S.C. § 101(51D).  ted debts (excluding debts owed to 0,000.		
Statistical/Administrative Informatio  Debtor estimates that funds will be availa  Debtor estimates that, after any exempt in there will be no funds available for distrib  Estimated Number of Creditors  To a constant of the constant of th	ble for distribution to unsecured credit property is excluded and administrative ution to unsecured creditors.	e expenses paid,  10,001- 25,001- 50,001- Ove			
Estimated Assets  \$\text{\begin{array}{ c c c c c c c c c c c c c c c c c c c	5,000 10,000	25,000 50,000 100,000 100	e than		
Estimated Liabilities  So to \$50,001 to \$100,001 to \$500,00	1 \$1,000,001 \$10,000,001	\$50,000,001 \$100,000,001 \$500,000,001 Mor	re than		

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	bluntary Petition his page must be completed and filed in every case.)	Name of Debtor(s): Amy Goldblatt	Howard	
(	All Prior Bankruptcy Cases Filed Within Last	8 Years (If more than two, attach add	ditional sheet.)	
Loca	tion Where Filed:	Case Number:	Date Filed:	
Loca	tion Where Filed:	Case Number:	Date Filed:	
	Pending Bankruptcy Case Filed by any Spouse, Partner of	r Affiliate of this Debtor (If more	than one, attach additional sheet.)	
Nam	e of Debtor:	Case Number:	Date Filed:	
Distri	ct:	Relationship:	Judge:	
10Q	Exhibit A  (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.)    Exhibit A is attached and made a part of this petition.    Exhibit B  (To be completed if debtor is an individual whose debts are primarily consumer debts.)   , the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that (he or she) may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b).    Nathan M. Johnson   Date   Dat			
	Ex	hibit C		
Doe:	s the debtor own or have possession of any property that poses or is alleged to pose Yes, and Exhibit C is attached and made a part of this petition. No.	e a threat of imminent and identifiable harm to	public health or safety?	
	Ex	hibit D		
(To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.)  Exhibit D completed and signed by the debtor is attached and made a part of this petition.  If this is a joint petition:				
	Exhibit D also completed and signed by the joint debtor is attach	ling the Debtor - Venue		
	(Check any	applicable box.)		
Ø	Debtor has been domiciled or has had a residence, principal place of preceding the date of this petition or for a longer part of such 180 day		strict for 180 days immediately	
	There is a bankruptcy case concerning debtor's affiliate, general partr	ner, or partnership pending in this Distr	ict.	
	Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District.			
	•	des as a Tenant of Residential Prope	rty	
	Landlord has a judgment against the debtor for possession of debtor's	oplicable boxes.) s residence. (If box checked, complete	e the following.)	
	ī	Name of landlord that obtained judgme	ent)	
	`	inanio or tanalora that obtained judging	,	
	<del>,</del>	Address of landlord)		
	Debtor claims that under applicable nonbankruptcy law, there are circ monetary default that gave rise to the judgment for possession, after		•	
	Debtor has included in this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition.			
	□ Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(I)).			

,	
Signature of Authorized Individual	_
Printed Name of Authorized Individual	
Title of Authorized Individual	_
Date	

Address		
X	1 - 10 - 20 - 20 - 20 - 20 - 20 - 20 - 2	

Signature of bankruptcy petiton preparer or officer, principal, responsible person, or partner whose Social-Security number is provided above.

Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an individual.

If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.

A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

B 1D (Official Form 1, Exhibit D) (12/08) Filed 08/31/09 Entered 01/26/10 15:09:58 Desc Main Document UNITED STATES BANKRUPTCY COURT

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NORTHERN DISTRICT OF TEXAS **DALLAS DIVISION** 

In re:	Amy Goldblatt Howard	Case No.	
			(if known)

Debtor(s)

#### **EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH** CREDIT COUNSELING REQUIREMENT

Warning: You must be able to check truthfully one of the five statements regarding credit counseling listed below. If you cannot do so, you are not eligible to file a bankruptcy case, and the court can dismiss any case you do file. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you. If your case is dismissed and you file another bankruptcy case later, you may be required to pay a second filing fee and you may have to take extra steps to stop creditors' collection activities.

Every individual debtor must file this Exhibit D. If a joint petition is filed, each spouse must complete and file a separate Exhibit D. Check one of the five statements below and attach any documents as directed.

1. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit counseling and assisted me in performing a related budget analysis, and I have a certificate from the agency describing the services provided to me. Attach a copy of the certificate and a copy of any debt repayment plan developed through the agency.
2. Within the 180 days before the filing of my bankruptcy case, I received a briefing from a credit counseling agency approved by the United States trustee or bankruptcy administrator that outlined the opportunities for available credit couseling and assisted me in performing a related budget analysis, but I do not have a certificate from the agency describing the services provided to me. You must file a copy of a certificate from the agency describing the services provided to you and a copy of any debt repayment plan developed through the agency no later than 15 days after your bankruptcy case is filed.
3. I certify that I requested credit counseling services from an approved agency but was unable to obtain the services during the five days from the time I made my request, and the following exigent circumstances merit a temporary waiver of the credit counseling requirement so I can file my bankruptcy case now. [Summarize exigent circumstances here.]

If your certification is satisfactory to the court, you must still obtain the credit counseling briefing within the first 30 days after you file your bankruptcy petition and promptly file a certificate from the agency that provided the counseling, together with a copy of any debt management plan developed through the agency. Failure to fulfill these requirements may result in dismissal of your case. Any extension of the 30-day deadline can be granted only for cause and is limited to a maximum of 15 days. Your case may also be dismissed if the court is not satisfied with your reasons for filing your bankruptcy case without first receiving a credit counseling briefing.

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# **NORTHERN DISTRICT OF TEXAS DALLAS DIVISION**

In re:

**Amy Goldblatt Howard** 

Case No.	
	(if known)

Debtor(s)

# **EXHIBIT D - INDIVIDUAL DEBTOR'S STATEMENT OF COMPLIANCE WITH**

CREDIT COUNSELING REQUIREMENT
Continuation Sheet No. 1
4. I am not required to receive a credit counseling briefing because of: [Check the applicable statement.] [Must be accompanied by a motion for determination by the court.]
Incapacity. (Defined in 11 U.S.C. § 109(h)(4) as impaired by reason of mental illness or mental deficiency so as to be incapable of realizing and making rational decisions with respect to financial responsibilites.);
Disability. (Defined in 11 U.S.C. § 109(h)(4) as physically impaired to the extent of being unable, after reasonable effort, to participate in a credit counseling briefing in person, by telephone, or through the Internet.);
Active military duty in a military combat zone.
■ 5. The United States trustee or bankruptcy administrator has determined that the credit counseling requirement of 11 U.S.C. § 109(h) does not apply in this district.
I certify under penalty of perjury that the information provided above is true and correct.
Signature of Debtor: Amy Goldblatt Howard
Date: 8 31 09

Certificate Number: 00252-TXN-CC-008162273

# **CERTIFICATE OF COUNSELING**

I CERTIFY that on August 27, 2009	, at	5:47	o'clock PM EDT,
Amy G Howard		receive	ed from
Institute for Financial Literacy, Inc.			
an agency approved pursuant to 11 U.S.C.	§ 111 to	provide credi	t counseling in the
Northern District of Texas	, aı	ı individual [	or group] briefing that complied
with the provisions of 11 U.S.C. §§ 109(h)	and 111		
A debt repayment plan was not prepared	If a d	ebt repaymen	nt plan was prepared, a copy of
the debt repayment plan is attached to this	certificat	e.	
This counseling session was conducted by	internet a	nd telephone	<u> </u>
Date: August 27, 2009	Ву	/s/Wendy J. C	Charles
	Name	Wendy J. Ch	arles
	Title	Credit Couns	elor

<sup>\*</sup> Individuals who wish to file a bankruptcy case under title 11 of the United States Bankruptcy Code are required to file with the United States Bankruptcy Court a completed certificate of counseling from the nonprofit budget and credit counseling agency that provided the individual the counseling services and a copy of the debt repayment plan, if any, developed through the credit counseling agency. See 11 U.S.C. §§ 109(h) and 521(b).

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# NORTHERN DISTRICT OF TEXAS **DALLAS DIVISION**

IN RE: Amy Goldblatt Howard

# NOTICE TO INDIVIDUAL CONSUMER DEBTOR(S) UNDER § 342(b) OF THE BANKRUPTCY CODE

In accordance with § 342(b) of the Bankruptcy Code, this notice to individuals with primarily consumer debts: (1) Describes briefly the services available from credit counseling services; (2) Describes briefly the purposes, benefits and costs of the four types of bankruptcy proceedings you may commence; and (3) Informs you about bankruptcy crimes and notifies you that the Attorney General may examine all information you supply in connection with a bankruptcy case.

You are cautioned that bankruptcy law is complicated and not easily described. Thus, you may wish to seek the advice of an attorney to learn of your rights and responsibilities should you decide to file a petition. Court employees cannot give you legal advice.

Notices from the bankruptcy court are sent to the mailing address you list on your bankruptcy petition. In order to ensure that you receive information about events concerning your case, Bankruptcy Rule 4002 requires that you notify the court of any changes in your address. If you are filing a JOINT CASE (a single bankruptcy case for two individuals married to each other), and each spouse lists the same mailing address on the bankruptcy petition, you and your spouse will generally receive a single copy of each notice mailed from the bankruptcy court in a jointly-addressed envelope, unless you file a statement with the court requesting that each spouse receive a separate copy of all notices.

#### 1. Services Available from Credit Counseling Agencies

With limited exceptions, § 109(h) of the Bankruptcy Code requires that all individual debtors who file for bankruptcy relief on or after October 17, 2005, receive a briefing that outlines the available opportunities for credit counseling and provides assistance in performing a budget analysis. The briefing must be given within 180 days BEFORE the bankruptcy filing. The briefing may be provided individually or in a group (including briefings conducted by telephone or on the Internet) and must be provided by a nonprofit budget and credit counseling agency approved by the United States trustee or bankruptcy administrator. The clerk of the bankruptcy court has a list that you may consult of the approved budget and credit counseling agencies. Each debtor in a joint case must complete the briefing.

In addition, after filing a bankruptcy case, an individual debtor generally must complete a financial management instructional course before he or she can receive a discharge. The clerk also has a list of approved financial management instructional courses. Each debtor in a joint case must complete the course.

#### 2. The Four Chapters of the Bankruptcy Code Available to Individual Consumer Debtors

Chapter 7: Liquidation (\$245 filing fee, \$39 administrative fee, \$15 trustee surcharge: Total fee \$299) 1. Chapter 7 is designed for debtors in financial difficulty who do not have the ability to pay their existing debts. Debtors whose debts are primarily consumer debts are subject to a "means test" designed to determine whether the case should be permitted to proceed under chapter 7. If your income is greater than the median income for your state of residence and family size, in some cases, creditors have the right to file a motion requesting that the court dismiss your case under § 707(b) of the Code. It is up to the court to decide whether the case should be dismissed.

- 2. Under chapter 7, you may claim certain of your property as exempt under governing law. A trustee may have the right to take possession of and sell the remaining property that is not exempt and use the sale proceeds to pay your creditors.
- 3. The purpose of filing a chapter 7 case is to obtain a discharge of your existing debts. If, however, you are found to have committed certain kinds of improper conduct described in the Bankruptcy Code, the court may deny your discharge and, if it does, the purpose for which you filed the bankruptcy petition will be defeated.
- 4. Even if you receive a general discharge, some particular debts are not discharged under the law. Therefore, you may still be responsible for most taxes and student loans; debts incurred to pay nondischargeable taxes; domestic support and property settlement obligations; most fines, penalties, forfeitures, and criminal restitution obligations; certain debts which are not properly listed in your bankruptcy papers; and debts for death or personal injury caused by operating a motor vehicle, vessel, or aircraft while intoxicated from alcohol or drugs. Also, if a creditor can prove that a debt arose from fraud, breach of fiduciary duty, or theft, or from a willful and malicious injury, the bankruptcy court may determine that the debt is not discharged.

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IN RE: Amy Goldblatt Howard

### Chapter 13: Repayment of All or Part of the Debts of an Individual with Regular Income (\$235 filing fee, \$39 administrative fee: Total fee \$274)

- 1. Chapter 13 is designed for individuals with regular income who would like to pay all or part of their debts in installments over a period of time. You are eligible for chapter 13 if your debts do not exceed certain dollar amounts set forth in the Bankruptcy Code.
- 2. Under chapter 13, you must file with the court a plan to repay your creditors all or part of the money that you owe them, using your future earnings. The period allowed by the court to repay your debts may be three years or five years, depending upon your income and other factors. The court must approve your plan before it can take effect.
- 3. After completing the payments under your plan, your debts are generally discharged except for domestic support obligations; most student loans; certain taxes; most criminal fines and restitution obligations; certain debts which are not properly listed in your bankruptcy papers; certain debts for acts that caused death or personal injury; and certain long term secured obligations.

# Chapter 11: Reorganization (\$1000 filing fee, \$39 administrative fee: Total fee \$1039)

Chapter 11 is designed for the reorganization of a business but is also available to consumer debtors. Its provisions are quite complicated, and any decision by an individual to file a chapter 11 petition should be reviewed with an attorney.

# Chapter 12: Family Farmer or Fisherman (\$200 filing fee, \$39 administrative fee: Total fee \$239)

Chapter 12 is designed to permit family farmers and fishermen to repay their debts over a period of time from future earnings and is similar to chapter 13. The eligibility requirements are restrictive, limiting its use to those whose income arises primarily from a family-owned farm or commercial fishing operation.

# 3. Bankruptcy Crimes and Availability of Bankruptcy Papers to Law Enforcement Officials

A person who knowingly and fraudulently conceals assets or makes a false oath or statement under penalty of perjury, either orally or in writing, in connection with a bankruptcy case is subject to fine, imprisonment, or both. All information supplied by a debtor in connection with a bankruptcy case is subject to examination by the Attorney General acting through the Office of the United States Trustee, the Office of the United States Attorney, and other components and employees of the Department of Justice.

WARNING: Section 521(a)(1) of the Bankruptcy Code requires that you promptly file detailed information regarding your creditors, assets, liabilities, income, expenses and general financial condition. Your bankruptcy case may be dismissed if this information is not filed with the court within the time deadlines set by the Bankruptcy Code, the Bankruptcy Rules, and the local rules of the court.

#### Certificate of Compliance with § 342(b) of the Bankruptcy Code

ocitionic of compliance with 30-12(b) of the ballitapley code			
l, Nathan M. Johnson	, counsel for Debtor(s), hereby certify that I delivered to the Debtor(s) the Notice		
required by § 342(b) of the Bankruptcy Code.			
1/ Alux Shu			
Nathan M. Johnson Attorney for Debtor(s)			
Bar No.: 00787779			
Spector & Johnson, PLLC			

12770 Coit Road, Suite 1100 Banner Place

Dallas, TX 75251 Phone: (214) 365-5377 Fax: (214) 237-3380

E-Mail: nathanmj@sbcglobal.net

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**NORTHERN DISTRICT OF TEXAS DALLAS DIVISION** 

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IN RE: Amy Goldblatt Howard

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**Certificate of the Debtor** 

I (We), the debtor(s), affirm that I (we) have received and read the	nis notice:
Amy Goldblatt Howard	x mtdddddladd 83i/8 Signature of Debtor Date
Printed Name(s) of Debtor(s)	X Date /
Case No. (if known)	Signature of Joint Debtor (if any) Date

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IN RE: Amy Goldblatt Howard

CASE NO

CHAPTER 13

# **VERIFICATION OF CREDITOR MATRIX**

**DALLAS DIVISION** 

The above named Debtor hereby verifies that the attached list of creditors is true and correct to the best of his/her knowledge.

Signature \_ Date .

Barneys PO Box 326 Lyndurst, NJ 07071-0326

Barrett Burke Wilson 15000 Surveyer Blvd. Suite 100 Addison, Texas 75001

Capital One PO Box 30285 Salt Lake City, UT 84130-0285

Children's Medical Center 1935 Medical District Dr Billing Department Dallas, TX 75235

Citibank PO Box 44180 Jacksonville, FL 32231

City of Frisco Drawer 1100 McKinney, TX 75034

Collin County Community College P.O. Box 8006 McKinney, Texas 75070

Collin County Tax Assessor and Collector University Drive Courts Facility 1800 N. Graves St. McKinney, TX 75069

Collin Emergency Med Assoc 4849 Greenville Ave Suite 400 Dallas, TX 75206 Frisco ISD P.O. Box 547 Frisco, TX 75034

Gap GE Money Bank, Bankruptcy Dept PO Box 103104 Roswell, GA 30076

Internal Revenue Service Bankruptcy Notices Austin, TX 73301

IRS
Special Procedure Staff
Mail Code 5020-DAL
1100 Commerce Street
Dallas, TX 75242

IRS P.O. Box 21126 Philadelphia, PA 19114-0326

National City HELOC PO Box 5570 Cleveland, OH 44101-0570

National City Mortgage 3232 Newmark Dr Miamisburg, OH 45342

Neiman Marcus PO Box 729080 Dallas, TX 75372-9080

Pinnacle Anesthesia 13601 Preston Rd, Suite 1000W Dallas, TX 75240 Saks PO Box 10327 Jackson, MS 39289-0327

Stonebriar Country Club 5050 Country Club Drive Frisco, Texas 75034

Stonebriar Country Club 5050 Country Club Drive Frisco, TX 75034

Stonebriar Park Homeowner's Assoc., Inc. 1800 Preston Park Blvd. Suite 101 Plano, TX 75093

T Mobile PO Box 37380 Albuquerque, NM 87176-7380

Target
PO Box 1581
Minneapolis, MN 55440-1581

Texas Health Resources 500 E Border St #131 Arlington, TX 76010

Thomas Powers Standing Chapter 13 Trustee 125 E. John Carpenter Frwy. Suite 1100 Irving, Texas 75062

United States Trustee 1100 Commerce Street Room 976 Dallas, Texas 75242 University Federal Credit Union Collection Dept PO Box 9350 Austin, TX 78766-9350

USAA 9800 Fredericksburg Rd San Antonio, TX 78288

Wells Fargo Visa PO Box 348750 Sacramento, CA 95834